

Item 21:

Discussion of Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates

DISCUSSION

SUMMARY: Texas Education Code (TEC), §21.042, requires the State Board for Educator Certification (SBEC) to submit a written copy of each rule it proposes to adopt to the State Board of Education (SBOE) for review. At its September 2014 meeting, the SBOE reviewed and rejected the proposed revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates. As part of this item, Texas Education Agency (TEA) staff will provide an update and status to allow the SBEC to discuss amendments and/or revisions to the rules based on the proposed August 2014 changes, recent legislative changes, SBEC member input, stakeholder input, and input received from staff at TEA.

STATUTORY AUTHORITY: The statutory authority for 19 TAC Chapter 227, Subchapter A, is the TEC, §§21.031; 21.044(a); 21.0441, as amended by House Bill (HB) 2205 and HB 1300, 84th Texas Legislature, Regular Session, 2015; 21.049; 21.050(a); and 21.051. The statutory authority for 19 TAC Chapter 227, Subchapter B, is the TEC, §21.041(b)(1) and (4), and Texas Occupations Code, §53.105.

PREVIOUS BOARD ACTION: The SBEC approved the revisions to 19 TAC Chapter 227 for adoption, subject to SBOE review, at the August 1, 2014 meeting. The SBEC discussed the proposed revisions at the October 2014 and March 2015 meetings. The SBEC postponed taking action at the March 2015 meeting and directed TEA staff to bring this item back for discussion and possible action at the June 2015 SBEC meeting. The SBEC postponed taking action at the June 2015 meeting due to recent legislation and directed TEA staff to bring this item back for discussion of possible future rule changes at the August 2015 SBEC meeting.

BACKGROUND INFORMATION AND SIGNIFICANT ISSUES: The SBEC rules in 19 TAC Chapter 227 begin with Subchapter A, Admission to Educator Preparation Programs, which provides for rules that establish requirements for admission to an Educator Preparation Program (EPP). Subchapter B, Preliminary Evaluation of Certification Eligibility, provides for rules for the implementation of a preliminary criminal history evaluation, as provided in the Texas Occupations Code, Chapter 53, Subchapter D. TEC, §21.049, authorizes the SBEC to adopt rules providing for educator certification programs as an alternative to traditional EPPs. TEC, §21.031, states that the SBEC is established to oversee all aspects of the certification and continuing education of public school educators and to ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.

Proposed revisions to 19 TAC Chapter 227 that were adopted by the SBEC in August 2014 would have updated the rules to reflect current law and provide minimum standards with flexibility for all EPP candidates. The proposed revisions reflected discussions held during stakeholder meetings with EPPs on January 14, 2014; February 18, 2014; and March 26, 2014, and regional stakeholder meetings held on February 27, 2014; March 3, 2014; and March 4,

2014, with district and regional administrators. Additional changes also reflected input received from staff at the TEA and the Texas Higher Education Coordinating Board. After the SBOE reviewed and rejected the proposed revisions to 19 TAC Chapter 227 at its September 2014 meeting, Educator Preparation Advisory Committee (EPAC) meetings were held on December 1, 2014; February 2, 2015; May 4, 2015; and June 29, 2015. Additional proposed revisions were discussed with stakeholders at these and other meetings.

SBEC Input

At the January 2015 SBEC Work Session, board members received three presentations on educator quality. The Texas Teaching Commission, the Council for the Accreditation of Educator Preparation, and the National Council on Teacher Quality provided state and national perspectives on educator quality. SBEC members provided feedback to TEA staff on those presentations. Specifically, as it relates to 19 TAC Chapter 227, the SBEC requested policy options that focus on raising EPP standards, improving teacher preparation programs, and providing solutions to correct current problems in Texas EPPs. Proposed revisions to 19 TAC Chapter 227 address this request.

General Provisions

The August 2014 revisions to 19 TAC Chapter 227 would have clarified an educator preparation program's role in an educator's criminal history background check as informational. Additional proposed revisions from stakeholders and TEA staff include amending the language in the general provisions section to clarify the responsibility of the EPP to inform candidates of the background check requirement for clinical teaching and teaching.

Definitions

The August 2014 revisions to 19 TAC Chapter 227 would have:

- added a definition of accredited institution of higher education for clarity;
- added the phrase "that must be" to the definition of an EPP;
- added a definition of post-baccalaureate program;
- removed a phrase from the definition of contingency admission to stay in alignment with the acceptance of accredited institutions of higher education; and
- removed definitions for words and terms not used in Chapter 227.

Additional proposed revisions from stakeholders and TEA staff include amending the definition of post-baccalaureate program to differentiate it from the definition of alternative certification program.

Admission Criteria

The August 2014 revisions to 19 TAC Chapter 227 would have:

- aligned the acceptance of an accredited institution of higher education;
- maintained the requirement that candidates seeking initial certification have either a 2.5 grade point average or a 2.5 in the last 60 semester credit hours;

- added a 15 semester credit hour prerequisite for those seeking admission for mathematics or science certification at or above Grade 7, in accordance with the TEC, §21.0441, added by HB 2012, 83rd Texas Legislature, Regular Session, 2013;
- removed the basic skills testing requirement; and
- provided for an EPP to admit a candidate who has either completed another EPP or who has been employed for three years in a public school under a temporary or probationary certificate if the candidate seeks certification in a new field.

Additional proposed revisions from stakeholders and TEA staff include:

- clarifying which admission requirements are for initial certification in each class of certificate;
- clarifying the admission requirement language for an undergraduate university program candidate;
- requiring passing a content examination to be eligible for an extraordinary circumstances exception to the minimum grade point average requirement in accordance with HB 1300, 84th Texas Legislature, Regular Session, 2015;
- retaining the requirement for a basic skills assessment in reading, written communication, and mathematics and amend the language to reflect methods of meeting the requirement;
- requiring candidates with credentials from outside the United States to meet all of the English language proficiency requirements as specified in the general certification requirements section; and
- clarifying that a content examination that is used as part of admission requirement must be passed by the applicant before the applicant is enrolled in an EPP.

Formal Admission

The August 2014 revisions to 19 TAC Chapter 227 would have added new 19 TAC §227.17 to clarify and document when an applicant is considered admitted to an EPP. Additional proposed revisions from stakeholders and TEA staff include:

- prohibiting an EPP from granting certification test approval to formal admission; and
- requiring the overall grade point average of each incoming class admitted by an EPP to be not be less than 3.00 on a four-point scale or the equivalent or a higher overall grade point average prescribed by the SBEC in accordance with HB 2205, 84th Texas Legislature, Regular Session, 2015.

Technical Changes

The August 2014 revisions to 19 TAC Chapter 227 would have made minor technical edits such as updating cross references. Additional minor technical edits have been identified since August 2014 by TEA staff.

FISCAL IMPACT: An assessment of fiscal impact can be made after the SBEC gives guidance to TEA staff.

PUBLIC AND STUDENT BENEFIT: The public and student benefit anticipated as a result of the proposed revisions to Chapter 227 would be the development of clear, minimum EPP admission criteria that would ensure educators are prepared to positively impact the performance of the diverse student population of this state.

PROCEDURAL AND REPORTING IMPLICATIONS: An assessment of procedural and reporting implications can be made after the SBEC gives guidance to TEA staff.

LOCALLY MAINTAINED PAPERWORK REQUIREMENTS: An assessment of locally maintained paperwork requirements can be made after the SBEC gives guidance to TEA staff.

PUBLIC COMMENTS: None.

ALTERNATIVES: None.

OTHER COMMENTS AND RELATED ISSUES: None.

Staff Member Responsible: Tim Miller, Director
Educator Preparation Programs

Attachment: Statutory Citations

Separate Exhibit: Text of Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates (to be provided at the August 2015 SBEC meeting)

ATTACHMENT**Statutory Citations Relating to Proposed Revisions to 19 TAC Chapter 227, Provisions for Educator Preparation Candidates****Texas Education Code, §21.031, Purpose:**

- (a) The State Board for Educator Certification is established to recognize public school educators as professionals and to grant educators the authority to govern the standards of their profession. The board shall regulate and oversee all aspects of the certification, continuing education, and standards of conduct of public school educators.
- (b) In proposing rules under this subchapter, the board shall ensure that all candidates for certification or renewal of certification demonstrate the knowledge and skills necessary to improve the performance of the diverse student population of this state.

Texas Education Code, §21.041, Rules; Fees (excerpt):

- (b) The board shall propose rules that:
 - (1) provide for the regulation of educators and the general administration of this subchapter in a manner consistent with this subchapter;
 - (4) specify the requirements for the issuance and renewal of an educator certificate;

Texas Education Code, §21.044, Educator Preparation (excerpt):

- (a) The board shall propose rules establishing the training requirements a person must accomplish to obtain a certificate, enter an internship, or enter an induction-year program. The board shall specify the minimum academic qualifications required for a certificate.

Texas Education Code, §21.0441, Admission Requirements for Educator Preparation Programs, as amended by House Bill 2205, 84th Texas Legislature, Regular Session, 2015, effective September 1, 2015:

- (a) Rules of the board proposed under this subchapter must provide that a person, other than a person seeking career and technology education certification, is not eligible for admission to an educator preparation program, including an alternative educator preparation program, unless the person:
 - (1) except as provided by Subsection (b), satisfies the following minimum grade point average requirements [~~prescribed by the board, not to exceed the following~~]:
 - (A) an overall grade point average of at least 2.50 [~~2.75~~] on a four-point scale or the equivalent on any course work previously attempted at a public or private institution of higher education; or
 - (B) a grade point average of at least 2.50 [~~2.75~~] on a four-point scale or the equivalent for the last 60 semester credit hours attempted at a public or private institution of higher education; and
 - (2) if the person is seeking initial certification:
 - (A) has successfully completed at least:

- (i) 15 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is seeking certification to teach mathematics or science at or above grade level seven; or
 - (ii) 12 semester credit hours in the subject-specific content area in which the person is seeking certification, if the person is not seeking certification to teach mathematics or science at or above grade level seven; or
 - (B) has achieved a satisfactory level of performance on a content certification examination, which may be a content certification examination administered by a vendor approved by the commissioner for purposes of administering such an examination for the year for which the person is applying for admission to the program.
- (c) The overall grade point average of each incoming class admitted by an educator preparation program, including an alternative educator preparation program, may not be less than 3.00 on a four-point scale or the equivalent or a higher overall grade point average prescribed by the board. In computing the overall grade point average of an incoming class for purposes of this subsection, a program may:
- (1) include the grade point average of each person in the incoming class based on all course work previously attempted by the person at a public or private institution of higher education; or
 - (2) include the grade point average of each person in the incoming class based only on the last 60 semester credit hours attempted by the person at a public or private institution of higher education.
- (d) A person seeking career and technology education certification is not included in determining the overall grade point average of an incoming class under Subsection (c).

Texas Education Code, §21.0441, Admission Requirements for Educator Preparation Programs, as amended by House Bill 1300, 84th Texas Legislature, Regular Session, 2015, effective September 1, 2015:

- (b) The board's rules must permit an educator preparation program to admit in extraordinary circumstances a person who fails to satisfy a grade point average requirement prescribed by Subsection (a)(1)(A) or (B), provided that:
 - (1) not more than 10 percent of the total number of persons admitted to the program in a year fail to satisfy the requirement under Subsection (a)(1)(A) or (B);
 - (2) each person admitted as described by this subsection performs, before admission, at a satisfactory level on an appropriate subject matter examination for each subject in which the person seeks certification; and
 - (3) ~~(2)~~ for each person admitted as described by this subsection, the director of the program determines and certifies, based on documentation provided by the person, that the person's work, business, or career experience demonstrates achievement comparable to the academic achievement represented by the grade point average requirement.

Texas Education Code, §21.049, Alternative Certification:

- (a) To provide a continuing additional source of qualified educators, the board shall propose rules providing for educator certification programs as an alternative to traditional educator preparation programs. The rules may not provide that a person may be certified under this section only if there is a demonstrated shortage of educators in a school district or subject area.
- (b) The board may not require a person employed as a teacher in an alternative education program under Section 37.008 or a juvenile justice alternative education program under Section 37.011 for at least three years to complete an alternative educator certification program adopted under this section before taking the appropriate certification examination.

Texas Education Code, §21.050, Academic Degree Required for Teaching Certificate; Internship (excerpt):

- (a) A person who applies for a teaching certificate for which board rules require a bachelor's degree must possess a bachelor's degree received with an academic major or interdisciplinary academic major, including reading, other than education, that is related to the curriculum as prescribed under Subchapter A, Chapter 28.

Texas Education Code, §21.051, Rules Regarding Field-Based Experience and Options for Field Experience and Internships:

- (a) In this section, "teacher of record" means a person employed by a school district who teaches the majority of the instructional day in an academic instructional setting and is responsible for evaluating student achievement and assigning grades.
- (b) Before a school district may employ a candidate for certification as a teacher of record, the candidate must complete at least 15 hours of field-based experience in which the candidate is actively engaged in instructional or educational activities under supervision at:
 - (1) a public school campus accredited or approved for the purpose by the agency; or
 - (2) a private school recognized or approved for the purpose by the agency.
- (c) Subsection (b) applies only to an initial certification issued on or after September 1, 2012. Subsection (b) does not affect:
 - (1) the validity of a certification issued before September 1, 2012; or
 - (2) the eligibility of a person who holds a certification issued before September 1, 2012, to obtain a subsequent renewal of the certification in accordance with board rule.
- (d) Subsection (b) does not affect the period within which an individual must complete field-based experience hours as determined by board rule if the individual is not accepted into an educator preparation program before the deadline prescribed by board rule and is hired for a teaching assignment by a school district after the deadline prescribed by board rule.
- (e) The board shall propose rules relating to the field-based experience required by Subsection (b). The commissioner by rule shall adopt procedures and standards for recognizing a private school under Subsection (b)(2).

- (f) The board shall propose rules providing flexible options for persons for any field-based experience or internship required for certification.

Texas Occupations Code, §53.105, Fees:

A licensing authority may charge a person requesting an evaluation under this subchapter a fee adopted by the authority. Fees adopted by a licensing authority under this subchapter must be in an amount sufficient to cover the cost of administering this subchapter.

House Bill 2012, Section 9, 83rd Texas Legislature, Regular Session, 2013:

Not later than September 1, 2014, the Texas Education Agency, the State Board for Educator Certification, and the Texas Higher Education Coordinating Board shall jointly review existing standards for preparation and admission that are applicable to educator preparation programs, including stakeholder input in the review and development of those standards, and develop and implement modifications necessary to reflect updated standards for the teaching profession.